Legislation would add death of a child to life events protected by Family and Medical Leave Act

Hauppauge, NY— Today, Congressman Steve Israel (D-Huntington) called for legislation to provide job-protected leave under the Family and Medical Leave Act (FMLA) for employees who lose a son or daughter. Currently, the FMLA allows for employees to take up to 12 weeks off for the birth of a child, to care for an adopted or foster child, and to care for a spouse, a child under age 18, yourself or a parent with a serious health condition.

However, the FMLA does not provide for leave for the purpose of bereavement in the case of a child's death.

Rep. Israel said, "It is unacceptable that parents coping with the loss of a child cannot use FMLA leave to grieve for their loss. Today I'm calling for this to be amended so parents can take the time they need, knowing that their job will be protected. Parents should not have to decide between their job and taking the proper time needed for both themselves and the rest of their family."

Matthew J. Weippert, who founded the Sarah Grace Foundation to help children battling cancer after the death of his 12-year old daughter from leukemia, joined Rep. Israel and spoke about the importance of this legislation.

He said, "I applaud Rep. Israel's effort and strongly support the modification to allow up to 12 weeks of bereavement leave after the death of a child. I would have given anything to have been able to stay home with my daughter, Sarah Grace, at the end and after she passed, so my wife, my son and I could have tried to put our lives back together. Unfortunately, I was unable to do so. Sarah was buried on a Wednesday and, I went back to work Monday. It was devastating both emotionally and physically."

John Theissen, founder of the John Theissen Children's Foundation and an advocate for families dealing with the loss of a child, also spoke.

He said, "I am pleased to work with and support Congressman Israel on this act. I see firsthand how families are affected by a child that is seriously ill and, in worse situations, passes. This not only affects the parents, but also the siblings who have to deal with losing a brother or sister. Often, I see families that lose a child fall apart, and I believe a big part of this problem is because of the stress of parents having to go right back to work, so they don't lose their jobs. These families need time to heal and be there for each other. I believe this act would save many families from this hardship."

Amy Olshever Director of Social Work and Bereavement at Good Shepherd Hospice also joined the Congressman. She said, "Rep. Israel's work is so important for families experiencing loss. Normal grief follows an expected pattern however it is not normal to lose a child, therefore the grief of a parent takes a different kind of support over a different period of time to integrate that loss into one's new normal. Integrating the loss of a child and a sibling takes the whole family. Having FMLA time to do this together will give families a way to heal with each other and learn how to live life in a whole new way."

Rep. Israel will introduce the Sarah Grace Act of 2012 to amend the Family and Medical Leave Act of 1993 to provide leave to employees due to the death of a son or daughter. The legislation is named after Sarah Grace Weippert. Under the FMLA employees are eligible for job-protected leave as long as they have worked for an employer for at least 12 months, worked a minimum of 1,250 hours in the 12 months preceding the start of FMLA leave and are employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite.